

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Darren Leon Felder, Sr.,

Civil 06-4119 PAM/FLN

Petitioner,

v.

O R D E R

R. L. Morrison, Warden,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated November 15, 2006, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Petitioner's application to proceed *in forma pauperis* [#2] is DENIED as moot;
and
2. This action is dismissed without prejudice.

DATED: December 12, 2006
at St. Paul, Minnesota

s/ Paul A. Magnuson
JUDGE PAUL A. MAGNUSON
United States District Court